

106TH CONGRESS  
2D SESSION

**S. 1515**

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**AMENDMENT**



# ***In the House of Representatives, U. S.,***

*June 27, 2000.*

*Resolved*, That the bill from the Senate (S. 1515) entitled “An Act to amend the Radiation Exposure Compensation Act, and for other purposes”, do pass with the following

## **AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2       *This Act may be cited as the “Radiation Exposure*  
3 *Compensation Act Amendments of 2000”.*

4 ***SEC. 2. FINDINGS.***

5       *Congress finds that—*

6               *(1) the Radiation Exposure Compensation Act*  
7               *(42 U.S.C. 2210 note) recognized the responsibility of*  
8               *the Federal Government to compensate individuals*  
9               *who were harmed by the mining of radioactive mate-*  
10              *rials or fallout from nuclear arms testing;*

11              *(2) a congressional oversight hearing conducted*  
12              *by the Committee on Labor and Human Resources of*  
13              *the Senate demonstrated that since enactment of the*  
14              *Radiation Exposure Compensation Act (42 U.S.C.*  
15              *2210 note), regulatory burdens have made it too dif-*

1     *ficult for some deserving individuals to be fairly and*  
2     *efficiently compensated;*

3             *(3) reports of the Atomic Energy Commission*  
4     *and the National Institute for Occupational Safety*  
5     *and Health testify to the need to extend eligibility to*  
6     *States in which the Federal Government sponsored*  
7     *uranium mining and milling from 1941 through*  
8     *1971;*

9             *(4) scientific data resulting from the enactment*  
10    *of the Radiation Exposed Veterans Compensation Act*  
11    *of 1988 (38 U.S.C. 101 note), and obtained from the*  
12    *Committee on the Biological Effects of Ionizing Radi-*  
13    *ations, and the President's Advisory Committee on*  
14    *Human Radiation Experiments provide medical vali-*  
15    *dation for the extension of compensable radiogenic*  
16    *pathologies;*

17            *(5) above-ground uranium miners, millers and*  
18    *individuals who transported ore should be fairly com-*  
19    *pensated, in a manner similar to that provided for*  
20    *underground uranium miners, in cases in which those*  
21    *individuals suffered disease or resultant death, associ-*  
22    *ated with radiation exposure, due to the failure of the*  
23    *Federal Government to warn and otherwise help pro-*  
24    *tect citizens from the health hazards addressed by the*

1     *Radiation Exposure Compensation Act of 1990 (42*  
 2     *U.S.C. 2210 note); and*

3             *(6) it should be the responsibility of the Federal*  
 4     *Government in partnership with State and local gov-*  
 5     *ernments and appropriate healthcare organizations,*  
 6     *to initiate and support programs designed for the*  
 7     *early detection, prevention and education on*  
 8     *radiogenic diseases in approved States to aid the*  
 9     *thousands of individuals adversely affected by the*  
 10    *mining of uranium and the testing of nuclear weap-*  
 11    *ons for the Nation's weapons arsenal.*

12   **SEC. 3. AMENDMENTS TO THE RADIATION EXPOSURE COM-**  
 13             **PENSATION ACT.**

14        *(a) CLAIMS RELATING TO ATMOSPHERIC NUCLEAR*  
 15    *TESTING.—Section 4(a)(1) of the Radiation Exposure Com-*  
 16    *pensation Act (42 U.S.C. 2210 note) is amended to read*  
 17    *as follows:*

18             *“(1) CLAIMS RELATING TO LEUKEMIA.—*

19                *“(A) IN GENERAL.—An individual de-*  
 20             *scribed in this subparagraph shall receive an*  
 21             *amount specified in subparagraph (B) if the con-*  
 22             *ditions described in subparagraph (C) are met.*  
 23             *An individual referred to in the preceding sen-*  
 24             *tence is an individual who—*

1           “(i)(I) was physically present in an  
 2           affected area for a period of at least 1 year  
 3           during the period beginning on January 21,  
 4           1951, and ending on October 31, 1958;

5           “(II) was physically present in the af-  
 6           fected area for the period beginning on June  
 7           30, 1962, and ending on July 31, 1962; or

8           “(III) participated onsite in a test in-  
 9           volving the atmospheric detonation of a nu-  
 10          clear device; and

11          “(ii) submits written documentation  
 12          that such individual developed leukemia—

13               “(I) after the applicable period of  
 14               physical presence described in sub-  
 15               clause (I) or (II) of clause (i) or onsite  
 16               participation described in clause  
 17               (i)(III) (as the case may be); and

18               “(II) more than 2 years after first  
 19               exposure to fallout.

20          “(B) AMOUNTS.—If the conditions described  
 21          in subparagraph (C) are met, an individual—

22               “(i) who is described in subclause (I)  
 23               or (II) of subparagraph (A)(i) shall receive  
 24               \$50,000; or

1                   “(ii) *who is described in subclause*  
 2                   *(III) of subparagraph (A)(i) shall receive*  
 3                   *\$75,000.*

4                   “(C) *CONDITIONS.—The conditions de-*  
 5                   *scribed in this subparagraph are as follows:*

6                   “(i) *Initial exposure occurred prior to*  
 7                   *age 21.*

8                   “(ii) *The claim for a payment under*  
 9                   *subparagraph (B) is filed with the Attorney*  
 10                   *General by or on behalf of the individual.*

11                   “(iii) *The Attorney General deter-*  
 12                   *mines, in accordance with section 6, that*  
 13                   *the claim meets the requirements of this*  
 14                   *Act.”.*

15                   (b) *DEFINITIONS.—Section 4(b) of the Radiation Ex-*  
 16                   *posure Compensation Act (42 U.S.C. 2210 note) is*  
 17                   *amended—*

18                   (1) *in paragraph (1)—*

19                   (A) *in subparagraph (A) by inserting*  
 20                   *“Wayne, San Juan,” after “Millard,”; and*

21                   (B) *by amending subparagraph (C) to read*  
 22                   *as follows:*

23                   “(C) *in the State of Arizona, the counties of*  
 24                   *Coconino, Yavapai, Navajo, Apache, and Gila;*  
 25                   *and”; and*

1           (2) in paragraph (2)—

2                   (A) by striking “the onset of the disease was  
3                   between 2 and 30 years of first exposure,” and  
4                   inserting “the onset of the disease was at least 2  
5                   years after first exposure, lung cancer (other  
6                   than in situ lung cancer that is discovered dur-  
7                   ing or after a post-mortem exam),”;

8                   (B) by striking “(provided initial exposure  
9                   occurred by the age of 20)” after “thyroid”;

10                  (C) by inserting “male or” before “female  
11                  breast”;

12                  (D) by striking “(provided initial exposure  
13                  occurred prior to age 40)” after “female breast”;

14                  (E) by striking “(provided low alcohol con-  
15                  sumption and not a heavy smoker)” after  
16                  “esophagus”;

17                  (F) by striking “(provided initial exposure  
18                  occurred before age 30)” after “stomach”;

19                  (G) by striking “(provided not a heavy  
20                  smoker)” after “pharynx”;

21                  (H) by striking “(provided not a heavy  
22                  smoker and low coffee consumption)” after “pan-  
23                  creas”; and



1           (I) by inserting “salivary gland, urinary  
2           bladder, brain, colon, ovary,” after “gall blad-  
3           der,”.

4           (c) *CLAIMS RELATING TO URANIUM MINING.*—

5           (1) *IN GENERAL.*—Section 5(a) of the *Radiation*  
6           *Exposure Compensation Act* (42 U.S.C. 2210 note) is  
7           amended to read as follows:

8           “(a) *ELIGIBILITY OF INDIVIDUALS.*—

9           “(1) *IN GENERAL.*—An individual shall receive  
10          \$100,000 for a claim made under this Act if—

11          “(A) that individual—

12               “(i) was employed in a uranium mine  
13               or uranium mill (including any individual  
14               who was employed in the transport of ura-  
15               nium ore or vanadium-uranium ore from  
16               such mine or mill) located in Colorado, New  
17               Mexico, Arizona, Wyoming, South Dakota,  
18               Washington, Utah, Idaho, North Dakota,  
19               Oregon, and Texas at any time during the  
20               period beginning on January 1, 1942, and  
21               ending on December 31, 1971; and

22               “(ii)(I) was a miner exposed to 40 or  
23               more working level months of radiation and  
24               submits written medical documentation that  
25               the individual, after that exposure, devel-

oped lung cancer or a nonmalignant respiratory disease; or

“(II) was a miller or ore transporter who worked for at least 1 year during the period described under clause (i) and submits written medical documentation that the individual, after that exposure, developed lung cancer or a nonmalignant respiratory disease or renal cancers and other chronic renal disease including nephritis and kidney tubal tissue injury;

“(B) the claim for that payment is filed with the Attorney General by or on behalf of that individual; and

“(C) the Attorney General determines, in accordance with section 6, that the claim meets the requirements of this Act.

“(2) *INCLUSION OF ADDITIONAL STATES.*—Paragraph (1)(A)(i) shall apply to a State, in addition to the States named under such clause, if—

“(A) an Atomic Energy Commission uranium mine was operated in such State at any time during the period beginning on January 1, 1942, and ending on December 31, 1971;

1           “(B) the State submits an application to  
2           the Department of Justice to include such State;  
3           and

4           “(C) the Attorney General makes a deter-  
5           mination to include such State.

6           “(3) PAYMENT REQUIREMENT.—Each payment  
7           under this section may be made only in accordance  
8           with section 6.”.

9           (2) DEFINITIONS.—Section 5(b) of the Radiation  
10          Exposure Compensation Act (42 U.S.C. 2210 note) is  
11          amended—

12                 (A) in paragraph (3)—

13                         (i) by striking “and” before  
14                         “corpulmonale”; and

15                         (ii) by striking “; and if the claim-  
16                         ant,” and all that follows through the end  
17                         of the paragraph and inserting “, silicosis,  
18                         and pneumoconiosis;”;

19                 (B) by striking the period at the end of  
20                 paragraph (4) and inserting a semicolon; and

21                 (C) by adding at the end the following:

22                         “(5) the term ‘written medical documentation’  
23                         for purposes of proving a nonmalignant respiratory  
24                         disease or lung cancer means, in any case in which  
25                         the claimant is living—

1           “(A)(i) an arterial blood gas study; or

2           “(ii) a written diagnosis by a physician  
3           meeting the requirements of subsection (c)(1);  
4           and

5           “(B)(i) a chest x-ray administered in ac-  
6           cordance with standard techniques and the inter-  
7           pretive reports of a maximum of two National  
8           Institute of Occupational Health and Safety cer-  
9           tified ‘B’ readers classifying the existence of the  
10          nonmalignant respiratory disease of category 1/  
11          0 or higher according to a 1989 report of the  
12          International Labor Office (known as the ‘ILO’),  
13          or subsequent revisions;

14          “(ii) high resolution computed tomography  
15          scans (commonly known as ‘HRCT scans’) (in-  
16          cluding computer assisted tomography scans  
17          (commonly known as ‘CAT scans’), magnetic res-  
18          onance imaging scans (commonly known as  
19          ‘MRI scans’), and positron emission tomography  
20          scans (commonly known as ‘PET scans’)) and  
21          interpretive reports of such scans;

22          “(iii) pathology reports of tissue biopsies; or

23          “(iv) pulmonary function tests indicating  
24          restrictive lung function, as defined by the Amer-  
25          ican Thoracic Society;

1 “(6) the term ‘lung cancer’—

2 “(A) means any physiological condition of  
3 the lung, trachea, or bronchus that is recognized  
4 as lung cancer by the National Cancer Institute;  
5 and

6 “(B) includes in situ lung cancers;

7 “(7) the term ‘uranium mine’ means any under-  
8 ground excavation, including ‘dog holes’, as well as  
9 open pit, strip, rim, surface, or other aboveground  
10 mines, where uranium ore or vanadium-uranium ore  
11 was mined or otherwise extracted; and

12 “(8) the term ‘uranium mill’ includes milling  
13 operations involving the processing of uranium ore or  
14 vanadium-uranium ore, including both carbonate and  
15 acid leach plants.”.

16 (3) WRITTEN DOCUMENTATION.—Section 5 of the  
17 Radiation Exposure Compensation Act (42 U.S.C.  
18 2210 note) is amended by adding at the end the fol-  
19 lowing:

20 “(c) WRITTEN DOCUMENTATION.—

21 “(1) DIAGNOSIS ALTERNATIVE TO ARTERIAL  
22 BLOOD GAS STUDY.—

23 “(A) IN GENERAL.—For purposes of this  
24 Act, the written diagnosis and the accompanying

interpretive reports described in subsection  
(b)(5)(A) shall—

“(i) be considered to be conclusive; and

“(ii) be subject to a fair and random  
audit procedure established by the Attorney  
General.

“(B) CERTAIN WRITTEN DIAGNOSES.—

“(i) IN GENERAL.—For purposes of  
this Act, a written diagnosis made by a  
physician described under clause (ii) of a  
nonmalignant pulmonary disease or lung  
cancer of a claimant that is accompanied  
by written documentation shall be consid-  
ered to be conclusive evidence of that dis-  
ease.

“(ii) DESCRIPTION OF PHYSICIANS.—A  
physician referred to under clause (i) is a  
physician who—

“(I) is employed by the Indian  
Health Service or the Department of  
Veterans Affairs; or

“(II) is a board certified physi-  
cian; and

1                   “(III) has a documented ongoing  
2                   physician patient relationship with the  
3                   claimant.

4                   “(2) CHEST X-RAYS.—

5                   “(A) IN GENERAL.—For purposes of this  
6                   Act, a chest x-ray and the accompanying inter-  
7                   pretive reports described in subsection (b)(5)(B)  
8                   shall—

9                   “(i) be considered to be conclusive; and

10                  “(ii) be subject to a fair and random  
11                  audit procedure established by the Attorney  
12                  General.

13                  “(B) CERTAIN WRITTEN DIAGNOSES.—

14                  “(i) IN GENERAL.—For purposes of  
15                  this Act, a written diagnosis made by a  
16                  physician described in clause (ii) of a non-  
17                  malignant pulmonary disease or lung can-  
18                  cer of a claimant that is accompanied by  
19                  written documentation that meets the defi-  
20                  nition of that term under subsection (b)(5)  
21                  shall be considered to be conclusive evidence  
22                  of that disease.

23                  “(ii) DESCRIPTION OF PHYSICIANS.—A  
24                  physician referred to under clause (i) is a  
25                  physician who—

1                   “(I) is employed by—  
 2                   “(aa) the Indian Health  
 3                   Service; or  
 4                   “(bb) the Department of Vet-  
 5                   erans Affairs; and  
 6                   “(II) has a documented ongoing  
 7                   physician patient relationship with the  
 8                   claimant.”.

9           (d) DETERMINATION AND PAYMENT OF CLAIMS.—

10           (1) FILING PROCEDURES.—Section 6(a) of the  
 11           Radiation Exposure Compensation Act (42 U.S.C.  
 12           2210 note) is amended by adding at the end the fol-  
 13           lowing: “In establishing procedures under this sub-  
 14           section, the Attorney General shall take into account  
 15           and make allowances for the law, tradition, and cus-  
 16           toms of Indian tribes (as that term is defined in sec-  
 17           tion 5(b)) and members of Indian tribes, to the max-  
 18           imum extent practicable.”.

19           (2) DETERMINATION AND PAYMENT OF CLAIMS,  
 20           GENERALLY.—Section 6(b)(1) of the Radiation Expo-  
 21           sure Compensation Act (42 U.S.C. 2210 note) is  
 22           amended by adding at the end the following: “All rea-  
 23           sonable doubt with regard to whether a claim meets  
 24           the requirements of this Act shall be resolved in favor  
 25           of the claimant.”.



1           (3) *OFFSET FOR CERTAIN PAYMENTS.*—Section  
 2           6(c)(2)(B) of the *Radiation Exposure Compensation*  
 3           Act (42 U.S.C. 2210 note) is amended—

4                   (A) in clause (i), by inserting “(other than  
 5                   a claim for workers’ compensation)” after  
 6                   “claim”; and

7                   (B) in clause (ii), by striking “Federal Gov-  
 8                   ernment” and inserting “Department of Veterans  
 9                   Affairs”.

10           (4) *APPLICATION OF NATIVE AMERICAN LAW TO*  
 11           *CLAIMS.*—Section 6(c)(4) of the *Radiation Exposure*  
 12           *Compensation Act* (42 U.S.C. 2210 note) is amended  
 13           by adding at the end the following:

14                   “(D) *APPLICATION OF NATIVE AMERICAN*  
 15                   *LAW.*—In determining those individuals eligible  
 16                   to receive compensation by virtue of marriage,  
 17                   relationship, or survivorship, such determination  
 18                   shall take into consideration and give effect to es-  
 19                   tablished law, tradition, and custom of the par-  
 20                   ticular affected Indian tribe.”.

21           (5) *ACTION ON CLAIMS.*—Section 6(d) of the *Ra-*  
 22           *diation Exposure Compensation Act* (42 U.S.C. 2210  
 23           note) is amended—

24                   (A) by inserting “(1) *IN GENERAL.*—” be-  
 25                   fore “The Attorney General”;

1           (B) by inserting at the end the following:

2           *“For purposes of determining when the 12-month*  
3           *period ends, a claim under this Act shall be*  
4           *deemed filed as of the date of its receipt by the*  
5           *Attorney General. In the event of the denial of a*  
6           *claim, the claimant shall be permitted a reason-*  
7           *able period in which to seek administrative re-*  
8           *view of the denial by the Attorney General. The*  
9           *Attorney General shall make a final determina-*  
10          *tion with respect to any administrative review*  
11          *within 90 days after the receipt of the claimant’s*  
12          *request for such review. In the event the Attorney*  
13          *General fails to render a determination within*  
14          *12 months after the date of the receipt of such re-*  
15          *quest, the claim shall be deemed awarded as a*  
16          *matter of law and paid.”; and*

17           (C) by adding at the end the following:

18           *“(2) ADDITIONAL INFORMATION.—The Attorney*  
19          *General may request from any claimant under this*  
20          *Act, or from any individual or entity on behalf of*  
21          *any such claimant, any reasonable additional infor-*  
22          *mation or documentation necessary to complete the*  
23          *determination on the claim in accordance with the*  
24          *procedures established under subsection (a).*

1           “(3) *TREATMENT OF PERIOD ASSOCIATED WITH*  
2     *REQUEST.—*

3           “(A) *IN GENERAL.—The period described in*  
4     *subparagraph (B) shall not apply to the 12-*  
5     *month limitation under paragraph (1).*

6           “(B) *PERIOD.—The period described in this*  
7     *subparagraph is the period—*

8           “(i) *beginning on the date on which*  
9     *the Attorney General makes a request for*  
10    *additional information or documentation*  
11    *under paragraph (2); and*

12          “(ii) *ending on the date on which the*  
13    *claimant or individual or entity acting on*  
14    *behalf of that claimant submits that infor-*  
15    *mation or documentation or informs the At-*  
16    *torney General that it is not possible to pro-*  
17    *vide that information or that the claimant*  
18    *or individual or entity will not provide that*  
19    *information.*

20          “(4) *PAYMENT WITHIN 6 WEEKS.—The Attorney*  
21    *General shall ensure that an approved claim is paid*  
22    *not later than 6 weeks after the date on which such*  
23    *claim is approved.*

24          “(5) *NATIVE AMERICAN CONSIDERATIONS.—Any*  
25    *procedures under this subsection shall take into con-*

1       sideration and incorporate, to the fullest extent fea-  
 2       sible, Native American law, tradition, and custom  
 3       with respect to the submission and processing of  
 4       claims by Native Americans.”.

5       (e) *REGULATIONS.*—

6           (1) *IN GENERAL.*—Section 6(i) of the Radiation  
 7       Exposure Compensation Act (42 U.S.C. 2210 note) is  
 8       amended by adding at the end the following: “Not  
 9       later than 180 days after the date of the enactment  
 10      of the Radiation Exposure Compensation Act Amend-  
 11      ments of 2000, the Attorney General shall issue re-  
 12      vised regulations to carry out this Act.”.

13       (2) *AFFIDAVITS.*—

14           (A) *IN GENERAL.*—The Attorney General  
 15       shall take such action as may be necessary to en-  
 16       sure that the procedures established by the Attor-  
 17       ney General under section 6 of the Radiation  
 18       Exposure Compensation Act (42 U.S.C. 2210  
 19       note) provide that, in addition to any other ma-  
 20       terial that may be used to substantiate employ-  
 21       ment history for purposes of determining work-  
 22       ing level months, an individual filing a claim  
 23       under those procedures may make such a sub-  
 24       stantiation by means of an affidavit described in  
 25       subparagraph (B).

1                   (B) *AFFIDAVITS.*—*An affidavit referred to*  
 2                   *under subparagraph (A) is an affidavit—*

3                   *(i) that meets such requirements as the*  
 4                   *Attorney General may establish; and*

5                   *(ii) is made by a person other than the*  
 6                   *individual filing the claim that attests to*  
 7                   *the employment history of the claimant.*

8           (f) *LIMITATIONS ON CLAIMS.*—*Section 8 of the Radi-*  
 9           *ation Exposure Compensation Act (42 U.S.C. 2210 note)*  
 10           *is amended—*

11                   (1) *by inserting “(a) IN GENERAL.—” before “A*  
 12                   *claim”;* *and*

13                   (2) *by adding at the end the following:*

14           “(b) *RESUBMITTAL OF CLAIMS.*—*After the date of the*  
 15           *enactment of the Radiation Exposure Compensation Act*  
 16           *Amendments of 2000, any claimant who has been denied*  
 17           *compensation under this Act may resubmit a claim for con-*  
 18           *sideration by the Attorney General in accordance with this*  
 19           *Act not more than three times. Any resubmittal made before*  
 20           *the date of the enactment of the Radiation Exposure Com-*  
 21           *pensation Act Amendments of 2000 shall not be applied to*  
 22           *the limitation under the preceding sentence.”.*

23           (g) *EXTENSION OF CLAIMS AND FUND.*—

24                   (1) *EXTENSION OF CLAIMS.*—*Section 8 of the*  
 25                   *Radiation Exposure Compensation Act (42 U.S.C.*

1       2210 note) is amended by striking “20 years after the  
 2       date of the enactment of this Act” and inserting “22  
 3       years after the date of the enactment of the Radiation  
 4       Exposure Compensation Act Amendments of 2000”.

5               (2) *EXTENSION OF FUND.*—Section 3(d) of the  
 6       Radiation Exposure Compensation Act (42 U.S.C.  
 7       2210 note) is amended in the first sentence by strik-  
 8       ing “date of the enactment of this Act” and inserting  
 9       “date of the enactment of the Radiation Exposure  
 10      Compensation Act Amendments of 2000”.

11       (h) *ATTORNEY FEES LIMITATION.*—Section 9 of the  
 12      Radiation Exposure Compensation Act (42 U.S.C. 2210  
 13      note) is amended to read as follows:

14      **“SEC. 9. ATTORNEY FEES.**

15               “(a) *GENERAL RULE.*—Notwithstanding any contract,  
 16      the representative of an individual may not receive, for  
 17      services rendered in connection with the claim of an indi-  
 18      vidual under this Act, more than that percentage specified  
 19      in subsection (b) of a payment made under this Act on such  
 20      claim.

21               “(b) *APPLICABLE PERCENTAGE LIMITATIONS.*—The  
 22      percentage referred to in subsection (a) is—

23                       “(1) 2 percent for the filing of an initial claim;  
 24                       and

25                       “(2) 10 percent with respect to—

1           “(A) *any claim with respect to which a rep-*  
 2           *resentative has made a contract for services be-*  
 3           *fore the date of the enactment of the Radiation*  
 4           *Exposure Compensation Act Amendments of*  
 5           *2000; or*

6           “(B) *a resubmission of a denied claim.*

7           “(c) *PENALTY.—Any such representative who violates*  
 8           *this section shall be fined not more than \$5,000.”.*

9           *(i) GAO REPORTS.—*

10           *(1) IN GENERAL.—Not later than 18 months*  
 11           *after the date of the enactment of this Act, and every*  
 12           *18 months thereafter, the General Accounting Office*  
 13           *shall submit a report to Congress containing a de-*  
 14           *tailed accounting of the administration of the Radi-*  
 15           *ation Exposure Compensation Act (42 U.S.C. 2210*  
 16           *note) by the Department of Justice.*

17           *(2) CONTENTS.—Each report submitted under*  
 18           *this subsection shall include an analysis of—*

19                   *(A) claims, awards, and administrative*  
 20                   *costs under the Radiation Exposure Compensa-*  
 21                   *tion Act (42 U.S.C. 2210 note); and*

22                   *(B) the budget of the Department of Justice*  
 23                   *relating to such Act.*

1 **SEC. 4. ESTABLISHMENT OF PROGRAM OF GRANTS TO**  
 2 **STATES FOR EDUCATION, PREVENTION, AND**  
 3 **EARLY DETECTION OF RADIOGENIC CANCERS**  
 4 **AND DISEASES.**

5 *Subpart I of part C of title IV of the Public Health*  
 6 *Service Act (42 U.S.C. 285 et seq.) is amended by adding*  
 7 *at the end the following:*

8 **“SEC. 417C. GRANTS FOR EDUCATION, PREVENTION, AND**  
 9 **EARLY DETECTION OF RADIOGENIC CANCERS**  
 10 **AND DISEASES.**

11 *“(a) DEFINITION.—In this section the term ‘entity’*  
 12 *means any—*

13 *“(1) National Cancer Institute-designated cancer*  
 14 *center;*

15 *“(2) Department of Veterans Affairs hospital or*  
 16 *medical center;*

17 *“(3) Federally Qualified Health Center, commu-*  
 18 *nity health center, or hospital;*

19 *“(4) agency of any State or local government,*  
 20 *including any State department of health; or*

21 *“(5) nonprofit organization.*

22 *“(b) IN GENERAL.—The Secretary, acting through the*  
 23 *Administrator of the Health Resources and Services Admin-*  
 24 *istration in consultation with the Director of the National*  
 25 *Institutes of Health and the Director of the Indian Health*



1 *Service, may make competitive grants to any entity for the*  
 2 *purpose of carrying out programs to—*

3           “(1) *screen individuals described under section*  
 4 *4(a)(1)(A)(i) or 5(a)(1)(A) of the Radiation Exposure*  
 5 *Compensation Act (42 U.S.C. 2210 note) for cancer*  
 6 *as a preventative health measure;*

7           “(2) *provide appropriate referrals for medical*  
 8 *treatment of individuals screened under paragraph*  
 9 *(1) and to ensure, to the extent practicable, the provi-*  
 10 *sion of appropriate follow-up services;*

11           “(3) *develop and disseminate public information*  
 12 *and education programs for the detection, prevention,*  
 13 *and treatment of radiogenic cancers and diseases; and*

14           “(4) *facilitate putative applicants in the docu-*  
 15 *mentation of claims as described in section 5(a) of the*  
 16 *Radiation Exposure Compensation Act (42 U.S.C.*  
 17 *2210 note).*

18           “(c) *INDIAN HEALTH SERVICE.—The programs under*  
 19 *subsection (a) shall include programs provided through the*  
 20 *Indian Health Service or through tribal contracts, com-*  
 21 *pacts, grants, or cooperative agreements with the Indian*  
 22 *Health Service and which are determined appropriate to*  
 23 *raising the health status of Indians.*

1       “(d) *GRANT AND CONTRACT AUTHORITY.*—*Entities re-*  
 2       *ceiving a grant under subsection (b) may expend the grant*  
 3       *to carry out the purpose described in such subsection.*

4       “(e) *HEALTH COVERAGE UNAFFECTED.*—*Nothing in*  
 5       *this section shall be construed to affect any coverage obliga-*  
 6       *tion of a governmental or private health plan or program*  
 7       *relating to an individual referred to under subsection*  
 8       *(b)(1).*

9       “(f) *REPORT TO CONGRESS.*—*Beginning on October 1*  
 10       *of the year following the date on which amounts are first*  
 11       *appropriated to carry out this section and annually on each*  
 12       *October 1 thereafter, the Secretary shall submit a report to*  
 13       *the Committee on the Judiciary and the Committee on*  
 14       *Health, Education, Labor, and Pensions of the Senate and*  
 15       *to the Committee on the Judiciary and the Committee on*  
 16       *Commerce of the House of Representatives. Each report*  
 17       *shall summarize the expenditures and programs funded*  
 18       *under this section as the Secretary determines to be appro-*  
 19       *priate.*

20       “(g) *AUTHORIZATION OF APPROPRIATIONS.*—*There*  
 21       *are authorized to be appropriated for the purpose of car-*  
 22       *rying out this section \$20,000,000 for fiscal year 1999 and*

- 1 *such sums as may be necessary for each of the fiscal years*
- 2 *2000 through 2009.”.*

Attest:

*Clerk.*